

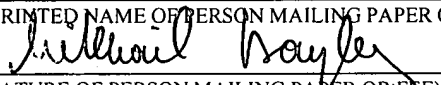
09/700625

PATENT
ATTORNEY DOCKET NO.: DALHO1290-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Sawynok, et al. Art Unit: Unassigned
Application No.: 09/700,625 Examiner: Unassigned
Filed: November 17, 2000
Title: USE OF TRICYCLIC ANTIDEPRESSANTS FOR LOCAL ANALGESIA

BOX PCT
Commissioner of Patents
Washington, D.C. 20231

<p>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</p> <p>"EXPRESS MAIL" MAILING LABEL NO.: EL617036884US DATE OF DEPOSIT: February 1, 2001</p> <p>I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.</p> <p>MIKHAIL BAYLEY (TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)</p> <p> SIGNATURE OF PERSON MAILING PAPER OR FEE)</p>

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed December 6, 2000, enclosed are:

1. A copy of the Notification of Missing Requirements;
2. An executed copy of the Declaration (4 pages);
3. An executed copy of the Power of Attorney By Assignee (2 pages);
4. A Petition for One (1) Month Extension of Time;
5. Check No. 466825 in the amount of \$120.00; and
6. Return postcard.

In re Application of:
Sawynok, et al.
Application No. 09/700,625
Filed: November 17, 2000
Page 2


PATENT
Attorney Docket No.: DALHO1290-1

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

Enclosed is Check No. 466825 in the total amount of \$120.00 for this filing. This includes \$65.00 surcharge fee for missing requirements of the application, and \$55.00 for the One (1) Month Extension of Time fee. No other fee is believed to be due in connection with this filing. However, if there are any additional fees required by this filing, the Commissioner is authorized to charge such fees, or credit any overpayments, to Deposit Account No. 50-1355. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

Date: February 1, 2001



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U.S. APPLICATION NO. 09/700625	FIRST NAMED APPLICANT SAWYNOK	ATTY. DOCKET NO. J DALHO1290-1
STEPHEN E REITER GRAY CARY WARE & FREIDENRICH 4365 EXECUTIVE DRIVE SUITE 1600 SAN DIEGO, CA 92121 2189		
RECEIVED DEC 11 2000 GRAYCARY/GT PATENT		
INTERNATIONAL APPLICATION NO. PCT/CA99/00449		
I.A. FILING DATE 19 MAY 99	PRIORITY DATE 19 MAY 98	
DATE MAILED: 08 DEC 2000		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed _____ and _____.
- ☐ Information Disclosure Statement(s) filed _____ and _____.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____.
- ☒ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875
- RM PCT/DO/EO/905 (December 1997)

Winston M Alvarado
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